

TYSON & MENDES LLP
GRIFFITH H. HAYES
Nevada Bar No. 7374
Email: ghayes@tysonmendes.com
CHRISTOPHER A. LUND
Nevada Bar No. 12435
Email: clund@tysonmendes.com
2835 St. Rose Pkwy., Suite 140
Henderson, NV 89052
Telephone: (702) 724-2648
Facsimile: (702) 410-7684
*Attorneys for Defendant IMI Miracle
Mall LLC*

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

ELIZABETH TUCKER, individually,

Case No. 2:23-cv-01794-JAD-DJA

Plaintiff,

V.

IMI MIRACLE MALL LLC DBA MIRACLE MILE SHOPS, a Foreign Limited-Liability Company; and DOES I through X, inclusive,

**STIPULATION AND ~~PROPOSED~~ ORDER
TO EXTEND DISCOVERY DEADLINES

(FIRST REQUEST)**

Defendants.

IT IS HEREBY STIPULATED AND AGREED, between the parties and their attorneys of record, that **the current discovery deadlines relating to be extended approximately three (3) months**, pursuant to Local Rule 26-1(b).

I. DISCOVERY COMPLETED TO DATE

1. The parties have conducted the FRCP 26.1 Early Case Conference.
2. The parties have produced their respective Lists of Witnesses and Documents, and supplements thereto pursuant to FRCP 26(a).
3. Plaintiff has propounded discovery to Defendant.
4. Defendant has propounded discovery to Plaintiff.
5. Plaintiff has responded to Defendant's discovery requests.

7. Defendant has responded to Plaintiff's discovery requests.

II.

DISCOVERY THAT REMAINS TO BE COMPLETED

1. Deposition of Plaintiff.
2. Deposition of Defendant IMI Miracle Mall LLC's 30(b)(6) witness(es).
3. Plaintiff's FRCP 35 Examination.
4. Deposition(s) of Plaintiff's treating physicians.
5. Deposition of other percipient witnesses.
6. Initial expert disclosures.
7. Rebuttal expert disclosures.
8. Depositions of experts.
9. Issuing subpoenas to additional third-parties, including Plaintiff's medical providers (if any).
10. Additional written discovery (if necessary).
11. Any remaining discovery the parties deem relevant and necessary as discovery continues.

III.

REASONS THE PARTIES REQUEST TO EXTEND THE DISCOVERY DEADLINES

The parties aver, pursuant to Local Rule 26-3, that good cause exists for the following requested extension. This Request for an extension of time is not sought for any improper purpose other purpose of delay. Good cause exist as a new party ECS FEDERAL, LLC has been named by Plaintiff. Service upon this respondent occurred on March 5, 2024. ECS FEDERAL, LLC's answer is due on or before March 26, 2024. For the reasons set forth more fully below, it is necessary to continue to deadlines so the new party can appear in the case and participate in the deposition and IME of Plaintiff can be completed prior to the initial expert disclosure deadlines.

Extension or Modification of The Discovery Plan and Scheduling Order.

LR 26-3 governs modifications or extension of the Discovery Plan and Scheduling

1 Order. Any stipulation or motion to extend or modify that Discovery Plan and Scheduling Order
 2 must be made no later than twenty-one (21) days before the expiration of the subject deadline
 3 and must comply fully with LR 26-3. If the stipulation is made less than twenty-one (21) days
 4 before the expiration of a deadline, the parties must show a good cause exist. As stated above
 5 good cause exist as a new party ECS FEDERAL, LLC has been named by Plaintiff. Service upon
 6 this respondent occurred on March 5, 2024. ECS FEDERAL, LLC's answer is due on or before
 7 March 26, 2024

Discovery Deadline	Current Deadline	Proposed Deadline
Motion to Amend/Add Parties	March 26, 2024	June 26, 2024
Initial Expert Disclosures	April 25, 2024	July 25, 2024
All Rebuttal Expert Disclosures	May 28, 2024	August 28, 2024
Discovery Cut-Off Date	June 24, 2024	September 24, 2024
Dispositive Motions	July 24, 2024	October 24, 2024

15 The parties represent this Stipulation is sought in good faith and not interposed for delay
 16 or any other improper purpose.

17 The Dated this 27th day of March, 2024. Dated this 27th day of March, 2024.

18 **MAROLA & RUIZ LAW GROUP PLLC**

19 **TYSON & MENDES LLP**

20 /s/ Yvonne Ruiz
 21 ELAINE H. MARZOLA
 Nevada Bar No.: 12442
 22 YVONNE RUIZ
 Nevada Bar No: 14111
 23 8975 South Pecos Road, Suite 6B
 Henderson, Nevada 89074
 24 Attorneys for Plaintiff

20 /s/ Griffith H. Hayes
 21 GRIFFITH H. HAYES
 Nevada Bar No. 7374
 22 CHRISTOPHER A. LUND
 Nevada Bar No. 12435
 23 2835 St. Rose Pkwy., Suite 140
 Henderson, NV 89052
 24 Attorneys for Defendant IMI Miracle Mall
 LLC

IT IS SO ORDERED that the parties' stipulation to extend discovery deadlines (ECF No. 22) is GRANTED.

UNITED STATES MAGISTRATE JUDGE

DATED: 3/28/2024

From: [Yvonne Ruiz](#)
To: [Griffith Hayes](#)
Cc: [Stefania Rota Scalabrinii](#); [Heidi Brown](#)
Subject: RE: Tucker v. IMI Miracle Mile LLC et. al. (TM 23-3388)
Date: Wednesday, March 20, 2024 3:19:50 PM
Attachments: [image001.png](#)
[2024.03.20 SAO to extend \(A7343468xDBB43\).docx](#)

Attached is my redline revision. If you are agreeable, then you can affix my electronic signature.

Sincerely,

Please note our new office address

Yvonne Ruiz, Esq.
Marzola & Ruiz Law Group PLLC
8975 S. Pecos Rd., Suite 6B
Henderson, Nevada 89074
T: 702-707-4878
F: 702-846-0776
D: 702-800-5961
Licensed in Nevada and California
yvonne@marzolaruizlaw.com
www.marzolaruizlaw.com



Confidentiality Notice: This message and any attachments are for the named person's use only. The message and any attachment may contain confidential, proprietary, or privileged information. No confidentiality or privilege is waived or lost by any mistransmission. If you receive this message in error, please immediately notify the sender, delete all copies of it from your system, and destroy any hard copies of it. Please do not, directly or indirectly, use, disclose, distribute, print, or copy any part of this message if you are not the intended recipient. Further, this message shall not be considered, nor shall it constitute an electronic transaction, non-paper transaction, and/or electronic signature under any and all electronic acts including the Uniform Electronic Transfer Act and/or the Electronic Signatures in Global and National Commerce Act.

From: Griffith Hayes <ghayes@TysonMendes.com>
Sent: Wednesday, March 20, 2024 11:30 AM

To: Yvonne Ruiz <yvonne@marzolaruizlaw.com>
Cc: Stefania Rota Scalabrini <SRotascalabrini@TysonMendes.com>; Heidi Brown <HBrown@TysonMendes.com>
Subject: Tucker v. IMI Miracle Mile LLC et. al. (TM 23-3388)

Hi Yvonne,

Here is the proposed stipulation extending the dates by about 3 months. Let me know if this is approved.

Thanks. Griff